IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5052 OF 2007

Union of India ..... Petitioners.

V/s

Lahanu Ragho Mahale ..... Respondent.

Mr. Vinond Joshi for Petitioners.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.
DATE : 12th December, 2007.

P.C.:

1. By this Petition, Petitioners challenge the order passed by the Central Administrative Tribunal by which the Central Administrative Tribunal has set aside the show-cause notice and the penalty imposed on the delinquent and has directed the Disciplinary Authority to reconsider the matter and pass a speaking order as contemplated by sub-rule (1) of Rule 15 of the Central Civil Services Rules.

2. We have heard the learned Counsel for the Petitioners. Perusal of the provisions of rule 15(1) shows that there is power in the Disciplinary Authority to remit the proceedings back to the Inquiry Officer. The only direction issued by the Tribunal is that the Disciplinary Authority should have remitted the matter back to the Inquiry Officer for making a speaking order, as the Tribunal found that the witnesses

have resiled from their earlier statements given in the preliminary inquiry. The remand has been ordered for very limited purpose. In our opinion, the impugned order does not call for any interference in the extraordinary jurisdiction of this Court. Petition is rejected.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)